

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

Petition for Warrant or Summons for Offender Under Supervision

Offender: Wesley Correa-Carmenaty **Docket No. 8:16CR98**

Type of Supervision: Supervised Release **Date of This Report:** March 25, 2016

Sentencing Judge: The Honorable Gustavo A. Gelpi
United States District Court Judge (District of Puerto Rico)

Assigned Judge: The Honorable Joseph F. Bataillon
Senior United States District Judge

Offense of Conviction: Carjacking With Intent to Cause Serious Bodily Harm, 18 U.S.C. 2119 (1)
Date Sentenced: April 1, 2012
Original Sentence: 46 Months Bureau of Prisons; 36 Months Supervised Release

Supervision Term: October 23, 2015 through October 22, 2018

Prepared By: Assistant U.S. Attorney: Defense Attorney:
Travis E. Wilcoxon Kim C. Bunjer David R. Stickman
U.S. Probation and Pretrial
Services Officer

PETITIONING THE COURT

The undersigned probation officer recommends that a Warrant be issued for service upon Wesley Correa-Carmenaty and that a hearing be held by the Court to determine whether the offender has violated the conditions of supervision as set forth in this report and to determine whether the offender's supervision should be revoked or continued, modified, and/or extended based on the alleged violations.

A Warrant is requested as Wesley Correa-Carmenaty is incarcerated in Pottawattamie County, Iowa for crimes of violence, to include felony murder and possession of a firearm.

The probation officer believes the offender has violated the following conditions of supervision:

- | <u>Allegation No.</u> | <u>Nature of Noncompliance</u> |
|------------------------------|---|
| 1 | <p>Wesley Correa-Carmenaty is in violation of the Mandatory Condition which states, "The defendant shall not commit another federal, state, or local crime."</p> <p>On March 7, 2016, Wesley Correa-Carmenaty was involved in the murder of Anthony Walker. On March 7, 2016, Mr. Correa-Carmenaty, along with co-conspirators, entered a home in Council Bluffs, Iowa for the purpose of armed robbery. During the commission of this robbery, Anthony Walker was shot and killed. Mr. Correa-Carmenaty was arrested by Officers with the Council Bluffs Police Department the same day. He has subsequently been charged in Pottawattamie County District Court with First Degree Murder, a Class A Felony. The offender remains in custody at the Pottawattamie County Jail where he has been denied bond.</p> <p>If the Court finds the offender has violated this condition, which is a grade A or B violation, revocation is mandatory.</p> |
| 2 | <p>Wesley Correa-Carmenaty is in violation of the Mandatory Condition which states, "The defendant shall not commit another federal, state, or local crime."</p> <p>On March 7, 2016, Wesley Correa-Carmenaty was involved in the attempted murder of Patrick Schultz. On March 7, 2016, Mr. Correa-Carmenaty, along with co-conspirators, entered a home in Council Bluffs, Iowa for the purpose of armed robbery. During the commission of this robbery, Patrick Schutz was shot an injured. Mr. Correa-Carmenaty was arrested by Officers with the Council Bluffs Police Department the same day. He has subsequently been charged in Pottawattamie County District Court with Attempt to Commit Murder, a Class B Felony. The offender remains in custody at the Pottawattamie County Jail where he has been denied bond.</p> <p>If the Court finds the offender has violated this condition, which is a grade A or B violation, revocation is mandatory.</p> |
| 3 | <p>Wesley Correa-Carmenaty is in violation of the Mandatory Condition which states, "The defendant shall not commit another federal, state, or local crime."</p> <p>On March 7, 2016, Wesley Correa-Carmenaty entered a home in Council Bluffs, Iowa for the purpose of armed robbery. During the commission of this robbery, Anthony Walker was murdered and Patrick Schutz was shot. Mr. Correa-Carmenaty was arrested by Officers with the Council Bluffs Police Department the same day. He has subsequently been charged in Pottawattamie County District Court with First Degree Armed Robbery, a Class B Felony. The offender remains in custody at the Pottawattamie County Jail where he has been denied bond.</p> <p>If the Court finds the offender has violated this condition, which is a grade A or B violation, revocation is mandatory.</p> |

4 Wesley Correa-Carmenaty is in violation of **the Mandatory Condition** which states, "The defendant shall not possess a firearm, destructive device, or any other dangerous weapon."

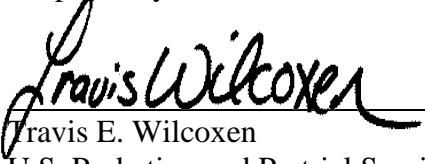
On March 7, 2016, Mr. Correa-Carmenaty possessed a firearm. On March 7, 2016, Officers with the Council Bluffs Police Department conducted a traffic stop of Mr. Correa-Carmenaty due to his vehicle matching the description of an auto used to flee the scene of a murder. As officers approached the vehicle, the offender discarded a .40 caliber handgun from his window. As a result, he was arrested and charged with Felon In Possession of a Firearm, a class D felony. The offender remains in custody at the Pottawattamie County Jail where he has been denied bond.

If the Court finds the offender has violated the conditions of supervision by possessing a firearm, the Court shall revoke supervision and impose a sentence which includes a term of imprisonment.

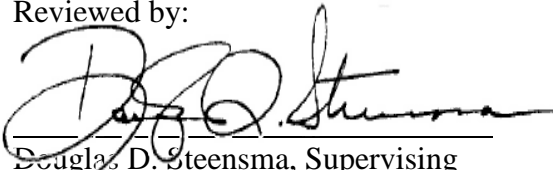
Assistant U.S. Attorney Kim C. Bunjer has been notified of this action.

I declare under penalty of perjury that the forgoing is true and correct.

Respectfully submitted,


Travis E. Wilcoxon
U.S. Probation and Pretrial Services Officer

Reviewed by:


Douglas D. Steensma, Supervising
U.S. Probation and Pretrial Services Officer

THE COURT ORDERS THAT:

_____ No action shall be taken.



A Warrant shall be issued for service upon Wesley Correa-Carmenaty and a hearing held by the Court to determine whether Wesley Correa-Carmenaty has violated the conditions of supervision as set out in the foregoing report and to determine whether the term of supervision should be revoked, continued, modified, and/or extended based on the alleged violations.

_____ The U. S. Probation Officer shall summons Wesley Correa-Carmenaty to appear for a hearing in court to determine whether Wesley Correa-Carmenaty has violated the conditions of supervision as set out in the foregoing report and to determine whether the term of supervision should be revoked, continued, modified, and/or extended based on the alleged violations.

_____ The following action to be taken (specify other action):

If a warrant is issued, the petition shall not be sealed and the following action shall be taken (specify other action).

_____ A Writ of Habeas Corpus Ad Prosequendum shall be issued and the defendant brought before the U.S. Court for an Initial Appearance on this matter.



The Federal Public Defender is appointed to represent the above named defendant in this matter. In the event that the Federal Public Defender accepts this appointment, the Federal Public Defender shall forthwith file a written appearance in this matter. In the event the Federal Public Defender should decline the appointment for reasons of conflict or on the basis of the Criminal Justice Act Plan, the Federal Public Defender shall forthwith provide the court with a draft appointment order (CJA Form 20) bearing the name and other identifying information of the CJA panel attorney identified in accordance with the Criminal Justice Act Plan for this district.

The defendant may contact the Office of the Federal Public Defender for the District of Nebraska regarding the alleged violation and possible penalties (402/221-7896).

The Honorable Joseph F. Bataillon
Senior U.S. District Judge

4/1/2016

Date

*** * * NOTICE TO OFFENDER * * ***

Pursuant to the Federal Rules of Criminal Procedure 32.1(b)(2) you are entitled to:

- (A) written notice of the alleged violation(s);
- (B) disclosure of the evidence against you;
- (C) an opportunity to appear, present evidence, and question adverse witnesses unless the court determines that the interest of justice does not require the witness to appear;
- (D) notice of your right to retain counsel or to request that counsel be appointed if you cannot obtain counsel.